

**FISCAL NOTE**  
**HB 455 - SB 943**

March 29, 2007

**SUMMARY OF BILL:** Broadens the Class C felony offense of aggravated assault to include strangulation, regardless of actual physical injury.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$2,116,100 / Incarceration\***


Assumptions:

- In FY06, the Department of Correction (DOC) had 964 admissions for aggravated assault. This estimate assumes that 10 percent (96) of those would have been reduced to a misdemeanor charge because the offense did not result in serious bodily injury to the victim.
- Ninety-six persons would be convicted of a Class C felony offense for strangulation in the first year as a result of this bill. According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth would result in 11 additional offenders in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 107 offenders serving 0.9 years.
- According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.9 years is \$19,776.40 (\$60.16 x 328.73 days). The total additional operating cost for 107 offenders in the tenth year is \$2,116,074.80 (\$19,776.40 x 107).

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director